

EXHIBIT 5

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 -----X

5 IN RE: NATIONAL PRESCRIPTION MDL No. 2804
6 OPIATE LITIGATION,

Case No. 17-MD-2804

6 This document relates to:

7 All Cases Hon. Dan A. Polster

8 -----X

9
10 * * HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER * *

11 * * CONFIDENTIALITY REVIEW * *

12 VIDEOTAPED DEPOSITION

13 OF

14 THOMAS P. NAPOLI

15 New York, New York

16 Thursday, January 17, 2019

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Reported by:

23 ANNETTE ARLEQUIN, CCR, RPR, CRR, RSA

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January 17, 2019

9:06 a.m.

Videotaped deposition of PURDUE PHARMA,
through its representative, THOMAS P.
NAPOLI, held at the offices of LIEFF
CABRASER HEIMANN & BERNSTEIN LLP, 250
Hudson Street, New York, New York, pursuant
to Notice, before Annette Arlequin, a
Certified Court Reporter, a Registered
Professional Reporter, a Realtime Systems
Administrator, a Certified Realtime
Reporter, and a Notary Public of the State
of New York and New Jersey.

1 A. I met with the gentleman seated next
2 to me, just to really go through what is
3 entailed in a deposition, kind of the process.

4 Q. Have you ever given a deposition
5 before?

6 A. Civilly. It would be many years ago.

7 Q. About when was it?

8 A. 1990s. It was a personal injury
9 thing.

10 Q. Have you ever given testimony under
11 oath in a court of law?

12 A. No, sir.

13 Q. All right. Did you talk with anyone
14 other than your counsel about the deposition
15 today?

16 A. My wife.

17 Q. All right. Anyone else?

18 A. No.

19 Q. Okay. So I'm going to hand you what
20 we'll mark as Exhibit 5.

21 A. Can I correct -- I did have a
22 conversation with Mary Woods.

23 MR. LUXTON: You should correct that,
24 yeah.

1 A. I think that needs to be corrected.

2 Q. Sure.

3 A. Last week I had a half-hour call with
4 counsel and Mary Woods regarding deposition.

5 Q. What did she tell you?

6 A. She was just looking for some
7 clarification, procedural clarifications from
8 when we administered the SOMS program. Nothing
9 about the deposition.

10 Q. Is it fair to say she asked you
11 questions in preparation for her deposition?

12 A. Correct.

13 Q. All right. Great. Thank you.

14 A. You're welcome.

15 Q. And I'll hand you what we'll mark as
16 Exhibit 5.

17 A. Sure.

18 Q. Mr. Napoli, can you look generally at
19 Exhibit 5. As you're looking at it, I'll read
20 into the record. It's Bates-stamped
21 ALLERGAN_MDL_03738524 through 8528.

22 (Napoli Exhibit 5, Document entitled
23 "Customer Communication for SOMS,"

24 ALLERGAN_MDL_03738524 through 8528, marked

1 before.

2 A. Um-hmm.

3 Q. Who is Scott Soltis?

4 A. Scott was our executive director of
5 securities and DEA affairs.

6 Q. So was he on an organizational chart
7 above you or below you.

8 A. Above me. He was responsible for
9 security and DEA compliance for the
10 organization.

11 Q. And then you cc Gary Stewart?

12 A. Yes.

13 Q. Who is Gary Stewart?

14 A. Gary Stewart was our supply chain
15 security manager based out of Gurnee, Illinois,
16 distribution center.

17 Q. And then Ed J. Grover?

18 A. Yes.

19 Q. Who is Mr. Grover?

20 A. Ed Grover was our head of
21 distribution in Gurnee, Illinois.

22 Q. And you write, "Scott, in regards to
23 the recent DEA request for product, I would
24 suggest the following course of action: Special